

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

ERIC C. WOLF,

CIVIL NO. 08-818 (PJS/JSM)

Plaintiff,

v.

ORDER

DAVID JOHNSON,

Defendant.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated February 10, 2009. No objections to that Report and Recommendation have been filed in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein, IT IS HEREBY ORDERED that:

1. Federal Defendant's Motion to Dismiss, Alternatively for Summary Judgment [Docket No. 16] is GRANTED; and
2. Plaintiff's Complaint is DISMISSED WITH PREJUDICE.

Dated: 03/06/09

s/Patrick J. Schiltz

Patrick J. Schiltz

United States District Judge